

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Department of Tribal Welfare - Appeal Petition filed by Sri T.Venunadham, Dy.Commercial Tax Officer (DCTO) (Dismissed), Kadapa under Section 7(2) of the Act 16 of 1993 against the Proceedings Rc.No.D3-3104/08 dt.16.03.2011 of the Collector& District Magistrate, Khammam District in cancelling the ST-GOUD Caste Certificate – Appeal transferred from the Government of Telangana – Appeal Petition dismissed – Orders – Issued.

DEPARTMENT OF TRIBAL WELFARE (CV)

G.O.MS.No. 17

Dated: 24-07-2025

Read the following:-

1. Proceedings of the Collector & District Magistrate, Khammam District in Rc.No.D3 3104/08, dt.16.03.2011.
2. From the Secretary to Govt., Tribal Welfare Department, Telangana Secretariat, Hyderabad, Lr.No.9600/TW.LTR/2011, dt.11.10.2021 transferred the appeal of Sri T.Venunadham, DCTO (Dismissed) to the state of Andhra Pradesh along with enclosures.
3. Govt.Memo No.1643435/CV.2/2022, T.W.(CV.2) Dept., dt.24.02.2023, 26.06.2023, 26.09.2024, 29.01.2025 & 11.03.2025.
4. Written arguments filed by the appellant through their council on 15.07.2023.

ORDER:

In the Proceedings 1st read above, the Collector & District Magistrate, Khammam District had issued orders cancelling the ST-Goud Cast Certificate of Sri T.Venunadham S/o late Sri Venkateshwar Rao, Occ: Dy.Commercial Tax Officer (DCTO) (Dismissed), Kadapa, R/o H.No.3-1625, 2nd Floor, Rajareddy Street, Kadapa, Kadapa District. Sri T. Venunadham, DCTO (Dismissed) has] filed appeal petition under Section 7(2) of the Act 16 of 1993, against the proceeding Rc.No.D3-3104/08, dated:16.03.2011 of the District Collector, Khammam District.

2. In the reference 2nd read above, the caste appeal petition of Sri T.Venunadham, Occ: Dy.Commercial Tax Officer (DCTO) (Dismissed), Kadapa S/o late Sri Venkateshwar Rao, has been transferred from the Government of Telangana to the Government of Andhra Pradesh.

3. In the reference 3rd read above, Government after examining the Appeal Petition of Sri T. Venunadham, Occ: Dy.Commercial Tax Officer (DCTO) (Dismissed), Kadapa S/o late Sri Venkateshwar Rao, has admitted the said appeal.

4. The said Appeal Petition has been posted for hearing before the Hon'ble Appellate Authority on several dates and finally hearing was held on 22.03.2025 duly informing the hearing communication to the Appellant and the Counsel for the Appellant. During the course of the hearing, the Appellate Authority verified the records/ the copies of evidences/ academic record/ grounds filed by the Appellant/ written arguments submitted by both parities/ para-wise remarks submitted by the Collector & District Magistrate, Khammam District and proceedings of the District Collector, Khammam dated:16.03.2011, the Appellate authority has observed that;

- i. The file relates to the appeal petition filed Under Section 7(2) of Act 16 of 1993 by Sri Telagani Venunadham S/o late Venkateswara Rao Occ: Dy. Commercial Tax Officer (DCTO), R/O H.NO.3-1625, 2nd Floor, Rajareddy Street, Kadapa, Kadapa District against the proceedings No.Rc.D3.-3104/08, dated.16.03.2011 of District Collector, Khammam, present: Telangana State.
- ii. The appellant Sri Telagani Venunadham has filed this appeal petition before Government against cancellation of his ST 'Konda Goud' Caste Certificate by the District Collector, Khammam, Present: Telangana State and after thoroughly observing the material available placed by the Applicant and all the material placed by the District Collector, Kadapa District and upon the following the rules and regulations, passed the following Orders on the Appeal Petition filed by the Appellant as hereunder:-

[P.T.O]

- iii. The order of the District Collector and District Magistrate, Khammam, Present :
Telangana State in proceedings Rc.D3.-3104/08, dated.16.03.2011 are not
contrary to the facts of the case and after perusing the material on record of the
case, the Order passed by the District Collector, Khammam Telangana are not
liable to be set aside. The District Collector placed all the material on record and
passed an order of cancelling the caste certificate of the appellant on proper
enquiry. On verification, the Sub-Collector, Bhadrachalam, Khammam District has
submitted a report after detailed enquiry that said Appellant has not filed any
documentary evidence in support of his claim i.e. himself and his parents are from
Gowridevipeta of Bhadrachalam Mandal, Khammam District. Since he has not
produced any proof for establishing his nativity, the Sub-Collector, Bhadrachalam
has opined that the Appellant does not belong to schedule area of Bhadrachalam
Mandal and the ST Status obtained is liable to be cancelled. The District
Collector, Khammam addressed a letter by the District Collector, Khammam to
the Dy.Commissioner (CT), Chittoor Division which clearly depicting the facts that
as per Presidential Order, 1950, the Goudu or Godu declared as Schedule Tribe
in Agency Tracts. Further, the Tribal Communities or parts of or groups within
tribes or tribal communities, specified in parts I to X 22 of the Schedule to the
1950 Order shall, in relation to the Stated to which those parts respectively relate,
be deemed to be Scheduled Tribes so far as members thereof, resident in the
localities specified in relation to them respectively, in those parts of the Schedule.
As per those Orders, the Appellant T.Venunadham has to reside in the
Scheduled Area as on the date of notification. The Appellant
T.Venunadham did not prove that either he or his family members resided in
Gowridevipeta Village of Bhadrachalam Mandal, Khammam District. The
Tahsildar, Bhadrachalam issued Caste Certificate to Appellant
T.Venunadham, S/o Venkateswarlu, as Kalali (Goudu) on 14-07-1980 but not
certified that the Kalali (Goudu) is S.T. The Appellant T.Venunadham obtained
another Certificate from M.R.O., Bhadrachalam to the effect that Gowridevipeta is
situated in Bhadrachalam Mandal of Khammam District, which comes under,
Scheduled Area. As per Constitution (Scheduled Tribes) Order, 1950, any person
individual either himself or his family members have to reside in the Scheduled
Area as on the date of Notification, Scheduled Area at the crucial time. The
Appellant T.Venunadham obtained different certificates from the competent
authority i.e. Tahsildar and Mandal Revenue Officer, Bhadrachalam and
produced before the appointing authority and secured employment and
promotions under Scheduled Tribe Quota just by drawing inference though he
does not actually belong to Scheduled Tribe.
- iv. It is noticed that Appellant T.Venunadham is a fraudulent and he misrepresented
that he belongs to ST (Goudu). The Principles laid down as per Law and
notifications and after thorough enquiries and on complete exercise of merits on
the material available on record, and genealogical chart admitted by Appellant
T.Venunadham, it is decided that the Appellant T.Venunadham is not ST (Goud).
It is unexplained by the Appellant T.Venunadham that as to how he characterized
himself as GOUD Caste. Even in his letter and correspondence, he is not in a
position to explain the difference between Goud and Goundla. There is a lot
difference in between the Goud Community and Goundla Community. Goud is a
Scheduled Tribe Community but Goundla is not a Schedule Community. He was
creating an impression in the officials Goundla is a sub-sec of Goud community
but both are purely different class of communities in themselves, it is not
uncommon that community certificates are obtained so as to claim the reservation
and other educational benefits.
- v. Further, he did not produce any Records like Land Records, Ration Card or
Election Voter Card and Voters List to prove that his parents belong to

Gowridevipeta Village. The Appellant T.Venunadham claimed that he possess a Transfer Certificate at X Class issued by School in Gowridevipeta which he did not produce before the inquiry officer. The School certificate proves only the place of study but not nativity. Thus, it is noticed that the Appellant T.Venunadham does not belong to scheduled Tribe Area of Bhadrachalam Mandal and ST Status will be liable to be cancelled. The Addl. Commissioner, Commercial Tax, Nampally, Hyderabad during enquiry disclosed that the Caste Certificate issued by Tahsildar, Bhadrachalam was not specially mentioned as KALALI (GOUDU) issued to the Appellant T.Venunadham. The Appellant T.Venunadham also produced another certificate issued by the MRO, Bhadrachalm stating that Gowridevipeta Village is coming in Scheduled Area of Bhadrachalam Mandal. The DLSC also determinate of community status and communicate the result of the caste for taking further action.

- vi. The matter also placed before District Level Scrutiny Committee, Khammam and notices in Form No.V as contemplated in Act 16/93 was issued. Further, all notices were served upon the Appellant T.Venunadham through proper channel and the appellant also appeared before DLSC and requested time for production of required documents. Appellant T.Venunadham categorically admitted that he was born in Toddy tapper community, only because of the place of residence, the plea of him is inclined towards to ST-GOUD, but he belong to backward class category Goundla (Toddy Tapping Community. It is noticed that all family members of belongs to Kalalee – Goundla Caste. In the Transfer Certificate No.58/833 the caste of the appellant was typed as GOUNDLA (ST). The RDO and Tahsildar have examined all the aspects i.e. with regard to customs and other ceremonies of the Appellant. They have examined the school records of the appellant and they deliberately disclosed that the said certificate crystal clearly shows the caste of Appellant is not Goud (ST).
- vii. The District Collector, Khammam rightly passed Orders of cancelling the caste certificate of the appellant and the Scrutiny Committee also enquired into the matter about the genuineness of the caste certificate of the appellant and submitted the detailed report to cancel the Caste Certificate of the Appellant. It is an admitted fact that either the Appellant or his Parents are not the native of Gowridevipeta, Bhadrachalam Mandal. As per the statements of the persons examined on behalf of appellant even do not know the native place of the Appellant.
- viii. The District Collector & Magistrate, Khammam followed the procedure as per Rules of Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act 1993, and cancelled the caste certificate of the appellant. The District Collector & Magistrate, Khammam rightly enquired about the fact that the appellant got the appointment as an employee in Commercial Tax Department basing on false caste certificate as such the appellant T.Venunadham is not entitled to seek employment on the ground that he do not belong to GOUD (ST) caste. The appellant do not belong to Goud (ST) caste and there is no such proof that he belong to such Scheduled Tribe Caste. Thus, the Appellant T.Venunadham, Dy. Asst. Commissioner (State Tax)-II was dismissed from the service on 15-10-2019.
- ix. It is further noticed that the appellant T. Venunadham who is aware of legal position adequately has nothing to secure in that direction in future, and this Order also concludes that his prayer at any point cannot be allowed of being GOUD-ST in future. There is no scrap of paper to show that he has absolute evidence of claiming to be Goud Schedule Tribe and the sole point is determined that he belongs to GOUNDLA Caste (Toddy Tapper Community which is considered as Backward Class Category).
- x. In view of the above and exercise the powers conferred U/S.5(1) of A.P. (SC/ST/BC) Regulation of issue of community certificate 16/1993 r/w sub- rule (7)

of Rule 9 of A.P. (SC/ST/BC) for issuance of Community, Nativity and date of Birth Certificate Rules, 1997 communicated vide G.O.Ms.No.58, Social Welfare (J) Department, the interpretation of being GOUD (ST) Certificate obtained by the Appellant T.Venunadham on misrepresentation of facts by him obtained caste and scheduled area certificates, by his well known facts of being GOUDU- (KALALEE) BC-B- Toddy Tapping Community was proved bogus is hereby declared that the delinquent does not belong to "GOUD", which falls under ST Community. He only belongs to Backward Class Category, for which he is rightly eligible. In and as such the proceedings of District collector are liable confirmed. The District Collector & Magistrate, Khammam correctly considering the material on record that as per the reports of Tahsildar & RDO and Scrutiny Committee and all the records established that the caste of the Appellant is not belongs to Scheduled Tribe, Goudu caste. All the Records with regard to the caste of the Appellant clearly goes to show that the caste of the Appellant is not ST-Goudu. The District Collector, Khammam rightly came to the conclusion that the caste of the appellant as ST-Goud is contrary to law and fact and hence this appeal is liable to be dismissed.

xi. In the Result, the Appeal Petition filed by the Appellant is dismissed.

5. Government, after careful examination of the appeal petition and the circumstances stated supra and in exercise of the powers conferred under Section 7(2) of A.P. Scheduled Castes, Scheduled Tribes and Backward Classes Regulation of Issue of Community Certificates Act, 1993 (Act 16 of 1993), and rules made thereunder, decide that the appeal petition filed by Sri T.Venunadham S/o late Sri Venkateshwar Rao, Occ: Dy.Commercial Tax Officer (DCTO) (Dismissed), Kadapa does not deserve any interference. Hence, the proceedings Rc.No.D3-3104/08, dated 16.03.2011 of the District Collector, Khammam District are hereby upheld and the appeal petition filed Sri T.Venunadham, S/o Late Sri Venkateshwar Rao, Occ: Dy.Commercial Tax Officer (DCTO) (Dismissed) is hereby dismissed.

6. The Collector & District Magistrate, ASR District, Andhra Pradesh shall take necessary consequential action in the matter, as per the A.P.(Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (Act 16 of 1993), and rules made therein.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.M.NAYAK
SECRETARY TO GOVERNMENT (FAC)

To
The Collector & District Magistrate, ASR District at Paderu. **(BY RP)**

The Collector & District Magistrate, Khammam District **(BY RP)**

Sri T. Venunadham S/o late Sri Venkateshwar Rao **(BY RP)**
Occ: Dy. Commercial Tax Officer (DCTO),
Kadapa, R/o H.No.3-1625, 2nd Floor, Rajareddy Street,
YSR Kadapa District.

Sri B.M. Krishna Reddy, Advocate,
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Copy to:

The Secretary to Government, Tribal Welfare Department, Telangana Secretariat.
The Chief Commissioner of State Tax, A.P.Vijayawada.(for information)
The Joint Commissioner (ST) Commercial Tax Department, Chittoor Division. Chittoor, A.P
Sf/Sc (E-1643435)

// FORWARDED:: BY ORDER //

SECTION OFFICER